

PROCEDURES GOVERNING UTILITY DISPUTES

- **A consumer must initially make an effort to resolve a dispute directly with a representative of the utility company.**

Initial Consultation and Review

- In the event of a billing or service dispute between a public utility and a customer which cannot be resolved between the customer and the utility, the customer may request an initial consultation and review of the dispute by an employee of the Consumer Section of the Division by telephone, by mail or in-person.
- In the event the dispute between the customer and the utility cannot be adjusted with mutual satisfaction after an initial consultation with the employee of the Consumer Section, the customer or the public utility may request an informal review by the Division.
 - A. In cases of a dispute regarding an amount or payment of bills, a request for an informal review must be made:
 - a. Within forty (40) days after the mailing date of the original bill or
 - b. Within ten (10) days after a payment was due from the terms of the following:
 - 1. An agreement or order issued by the Division or the Public Utilities Commission or
 - 2. A residential payment plan agreed to by the customer
 - B. In cases of a dispute regarding other than the amount or payment of bills, a request for an informal review must be made within ten (10) days after a utility company action or decision.

Informal Review

- An informal review shall consist of a factual investigation into the dispute by a reviewing officer designated by the Public Utilities Administrator.
- Each party to the dispute shall be afforded a reasonable opportunity to be heard at an informal conference.
- The informal conference shall be conducted at the office of the Division.
- Upon completion of the review, the reviewing officer shall render a written decision and order, a copy of which will be sent to the customer and the public utility.
- Any party aggrieved by the decision of a reviewing officer shall have then right to request a formal evidentiary hearing within ten (10) days of receipt of the decision. A request for a formal hearing may be made by written notice or by telephone to the Division's reviewing officer.

Formal Review

- Upon receipt of a request for a formal hearing, the Public Utilities Administrator shall designate a hearing officer and schedule the formal hearing to be held:
 - Within thirty (30) days or
 - Within fourteen (14) days when restoration of services is the subject of dispute.
- The formal evidentiary hearing shall be conducted at the offices of the Division.
- As part of the formal hearing process, parties have the right:
 - To appear in person and to be represented by counsel or another person of their choice.
 - To present oral and documentary evidence.
 - To present both oral and written argument.
 - To cross-examine witnesses.
 - To have witnesses and documents subpoenaed.
 - To examine a list of all witnesses who will testify for the adverse party and documents, records, and similar material to be raised at the hearing at least ten (10) days prior to the hearing.
 - To a stenographic record of the hearing.

- A written notice of decision shall be mailed to the parties and their counsel at least ten (10) days prior to any termination permitted by the formal hearing.
- Any party aggrieved by the Division's formal evidentiary decision may seek judicial review by appealing the decision to the Rhode Island Superior Court, pursuant to the Administrative Procedures Act (R.I.G.L. Chap. 42-35).

Emergency Restoration Order

- The Public Utilities Commission, or a single commissioner in the absence of a quorum, may order any public utility to restore utility service on an emergency basis, pending a hearing and decision by the Division, when restoration of such service is necessary to protect the health, welfare and safety of residents.
- If all Public Utilities Commissioners are unavailable, the Division shall have the emergency authority to order immediate restoration of utility service, pending a hearing and decision by the Division, when restoration of such service is necessary to protect the health, welfare and safety of residents.